

CITY OF MIAMI BEACH

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COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 10, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **REPORT OF THE COMMUNITY AFFAIRS COMMITTEE MEETING OF SEPTEMBER 4, 2003**

A Meeting of the Community Affairs Committee was held on Thursday, September 4, 2003. Commissioner Simon Cruz called the meeting to order at 2:20 p.m. Vice-Mayor Matti H. Bower was in attendance along with Commissioners Luis R. Garcia, Jr., Saul Gross and Richard L. Steinberg. An attendance sheet for the meeting is attached hereto.

OLD BUSINESS

1. DISCUSSION REGARDING APPROPRIATE MEMORIAL FOR THE LATE MAURICE GIBB.

ACTION: Mr. Koske, representative for the Maurice Gibb family, and Mr. Frank Kruszewski, Vice-President, of the Sunset Harbor Homeowners Association, agreed to proceed with the discussion on the appropriate memorial, i.e., fountain, bench, trees, etc. until after the November 2003 referendum when the renaming of the Park will be on the ballot for approval.

2. DISCUSSION TO CONSIDER THE APPROPRIATE FORMS OF RECOGNITION FOR PERSONS/COMPANIES DONATING FUNDS TO THE NORTH BEACH YOUTH CENTER.

ACTION: A discussion was held on the North Beach Youth Center Donor Recognition Program approved by the Friends of the North Beach Youth Center. Commissioner Luis R. Garcia, Jr., requested a list of the equipment, furniture, fixtures and dollars funded by the City for the Center and the proposed estimated donations and its uses for same.

3. DISCUSSION REGARDING DAVID NEVEL'S REQUEST TO CHANGE THE MEMORIAL/DEDICATION TO THE LATE JOSEPH NEVEL FROM THE COLLINS PARK FOUNTAIN TO THE COLLINS PARK PLAZA.

ACTION: It was recommended to name the Collins Park Plaza with the fountain placed in the middle of the area. Mr. Nevel is to work with the Administration on the naming location within the plaza. Due to the aforesated action, it is recommended that Resolution No. 2003-25265 which set the public hearing on the naming of the fountain in memory of Joseph Nevel be rescinded.

NEW BUSINESS

4. DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE EXISTING DEBARMENT AND LOBBYING ORDINANCES.

ACTION: Deferred at the request of Commissioner Jose Smith.

5. DISCUSSION REGARDING CHANGES TO THE MIAMI-DADE COUNTY'S LOBBYING ORDINANCE.

ACTION: In May 2003, the County Commission amended its lobbyist's ordinance. A brief discussion was held on these amendments to the Miami-Dade County ordinance defining the term "lobbyist", for purpose of assessing the need to amend the City of Miami Beach lobbyist laws. The County has enacted additional exemptions from the definition of "lobbyist". Commissioner Steinberg discussed the need to review these exemptions with existing City Code lobbyist restrictions. The City Attorney's Office will forward the amended ordinance to the City Commission for approval.

The City of Miami Beach lobbyist ordinance must be amended because it cannot be more lenient than the County's ordinance.

The County amendments which require amendments to the City's ordinance are as follows:

Adding to definition of lobbyists -

1. "Lobbyists" specifically includes the principal as well as any employee whose normal scope of employment includes lobbying activities.
2. The term "Lobbyist" specifically excludes the following persons: attorneys or other representatives retained or employed solely for the purpose of representing individuals, corporations or other entities during publicly noticed quasi-judicial proceedings where the law prohibits ex-parte communications; expert witnesses who provide only scientific, technical or other specialized information or testimony in public meetings; any person who only appears as a representative of a neighborhood association without compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item; any person who only appears as a representative of a not-for-profit community based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and employees of a principal whose normal scope of employment does not include lobbying activities.
3. Registration of all lobbyists shall be required prior to January 15 of each year.
4. The fee for annual registration shall be four hundred and ninety dollars (\$490).
5. Any lobbyist who fails to file the required expenditure report by September 1st shall be automatically suspended from lobbying until all fines are paid unless the fine has been appealed to the Ethics Commission.

6. No person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee. As used herein, "contingency fee" means a fee, bonus, commission or nonmonetary benefit as compensation which is dependent on or in any way contingent on the passage, defeat, or modification of: (1) an ordinance, resolution, action or decision of the County Commission; (2) any action, decision or recommendation of the County Manager or any County board or committee; or (3) any action decision or recommendation of County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee.

6. DISCUSSION REGARDING THE RENAMING OF THE FIRE ADMINISTRATION BUILDING AND/OR FIRE STATION NO. 2 IN MEMORIAL (TO HONOR) DR. LEO GROSSMAN.

ACTION: Representatives from Dr. Leo Grossman's family discussed with the Committee the naming of Fire Station No. 2 in memory of Dr. Grossman. The family representatives will visit Fire Station No. 2, and meet with the firefighters in an effort to obtain their support in the naming of the station and possibly proceeding in the March 2004 referendum with placing the item for voter approval.

7. DISCUSSION REGARDING ESTABLISHING A PILOT PROGRAM WITH ONBOARD MEDIA FOR A MAXIMUM OF TWELVE (12) MONTHS TO PRODUCE AND AIR A THIRTY (30) MINUTE SEGMENT OF "WELCOME TO MIAMI BEACH" IN PROMOTION OF THE CITY OF MIAMI BEACH AS A TOURIST DESTINATION AND QUALITY RESIDENTIAL COMMUNITY, ON "BEACHTV" (CHARTER COMMUNICATIONS GEOGRAPHIC TERRITORY), AT NO COST TO THE CITY; PROVIDING A LINK ON THE CITY'S WEBSITE, A LETTER OF SUPPORT FOR THE PROGRAMMING EFFORTS AND THE CITY'S COOPERATION AND CONCEPTUAL SUPPORT OF THE PROGRAM AND ITS PRODUCTION.

ACTION: The Committee was shown a presentation on the 12 month pilot program with Onboard Media to produce and air a thirty (30) minute segment of "Welcome to Miami Beach" in promotion of the City of Miami Beach as a tourist destination and quality residential community, on "BeachTV" at no cost to the City; providing a link on the City's website.

Commissioner Saul Gross made a motion to approve subject to satisfying the legal requirements on the City not endorsing the program and being able to cancel link to the City's website and the 30 minute free segment to the City, seconded by Commissioner Luis R. Garcia, Jr.

Sample disclaimer language will be provided by Onboard Media for the City's consideration.

JMG\MDB\cd

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